

1  
2  
3 IN THE UNITED STATES DISTRICT COURT  
4  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
6  
7

8 THEODORE J. LEBLANC, JR.,

No. C 13-5830 CW (PR)

9 Plaintiff,

ORDER OF DISMISSAL WITHOUT  
PREJUDICE

v.

10 ALAMEDA COUNTY SHERIFF  
11 DEPARTMENT,

(Docket no. 2)

12 Defendant.  
\_\_\_\_\_ /

13  
14 On December 16, 2013, Plaintiff, a state prisoner, filed the  
15 present pro se prisoner complaint under 42 U.S.C. § 1983. Included  
16 with the complaint was an incomplete application to proceed in  
17 forma pauperis. That same date, the Clerk of the Court sent a  
18 notice to Plaintiff informing him that his action could not go  
19 forward until he paid the filing fee or filed a completed in forma  
20 pauperis application. The Clerk sent Plaintiff a blank in forma  
21 pauperis application with a warning that he must pay the filing fee  
22 or return the completed application within twenty-eight days or his  
23 action would be dismissed.

24 More than twenty-eight days have passed and Plaintiff has not  
25 paid the filing fee, submitted a completed in forma pauperis  
26 application, or otherwise communicated with the Court. Plaintiff's  
27 motion for leave to proceed in forma pauperis is denied because his  
28 application is incomplete. Doc. no. 2.

1 This action is DISMISSED WITHOUT PREJUDICE. The Clerk of the  
2 Court shall close the file.

3 IT IS SO ORDERED.

4 Dated: 2/3/2014

  
CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

United States District Court  
For the Northern District of California